

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 09/761,558
 Filing Date 1/16/2001
 Inventorship Snyder, et al.
 Applicant Microsoft Corporation
 Attorney's Docket No. MS1-531US
 Title: Sampling-Efficient Mapping of Images

PETITION UNDER 37 C.F.R. 1.47(a)

A joint inventor, Mr. Don P. Mitchell, could not be found or reached following a diligent effort to contact him. The following statement of facts and identified proof describe the efforts taken to locate and contact Mr. Don P. Mitchell:

1. On July 10, 2001, an employee of Microsoft Corp., Bryan Imai forwarded an electronic mail (e-mail) (see attachment A) to my assisting paralegal, Lori Vierra, stating that Mr. Don P. Mitchell is no longer an employee of Microsoft Corp. and that members of the in-house legal team have been unable to obtain the signature of Mr. Don P. Mitchell on the formal papers that were sent to him.
2. Following receipt of this above-referenced e-mail, on July 11, 2001, my assisting paralegal, Lori Vierra, prepared and forwarded a new package containing a cover letter (see attachment B), a copy of the above-identified patent application, a corresponding combined declaration and power of attorney, an assignment, and a prepaid return envelope, via FedEx (see attachment C), to Mr. Don P. Mitchell at his last known address of 2621 168th Avenue NE, Bellevue, WA 98008.
3. On July 23, 2001, my assisting paralegal, Lori Vierra, accessed an Online FedEx Tracking service (via the Internet) and found that FedEx delivered said package

on July 13, 2001 to 2621 168th Avenue NE, Bellevue, WA 98008 (see attachment D).

4. Subsequently, beginning in late July of 2001 and extending through late September 2001, I made several telephone calls, at varying times in the day and evening, to Mr. Don P. Mitchell at (425) 936-4716, wherein each call was answered by an answering machine, on later occasions the recorded voice on the answering machine message identified the number as belonging to Don Mitchell.

5. As of the date of signing of this petition, no reply from Mr. Don P. Mitchell has been received by me or any other employees of Lee & Hayes, PLLC.


I hereby declare that the statements made herein of my own knowledge are true.

It is respectfully requested that this Petition under 37 C.F.R. 1.47(a) be granted.

Respectfully submitted,

Date:

9/27/01


Thomas A. Jolly
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Attachments:

- A. Copy of a e-mail from (client) Microsoft Corp.
- B. Copy of a cover letter from package sent to Mr. Don P. Mitchell.
- C. Copy of a FedEx receipt for package sent to Mr. Don P. Mitchell.
- D. Copy of an e-mailed FedEx tracking report for package sent to Mr. Don P. Mitchell.